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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,235	12/08/2003	Kazuto Yoneyama	16869P-097700US	4953
20350 7590 10/18/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER GORTAYO, DANGELINO N	
			ART UNIT 2168	PAPER NUMBER
			MAIL DATE 10/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,235

Applicant(s)

YONEYAMA, KAZUTO

Examiner

Dangelino N. Gortayo

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6,7,11,12,14-20 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6,7,11,12,14-20 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/27/2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In the amendment filed on 8/1/2007, Claims 6, 11, 12, 16, 19, and 23 have been amended. Claims 6-7, 11-12, 14-20, and 23 are pending for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 6-7, 11-12, 14-20, and 23, in regards to 35 USC 103(a) have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

3. An initialed and dated copy of Applicant's IDS form 1449, filed 4/27/2007, is attached to the instant Office action.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7, 11-12, 14-20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Debique et al. (US Patent 7,191,190 B2) in view of Bezos et al. (US Patent 7,082,407 B1)

As per claim 6, Debique teaches "a recording medium control module configured to read content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information" (column 4 lines 53-63, column 5 lines 4-10, column 15 lines 52-55, and Object Types starting on column 10, wherein table of contents information and a disc identifier is read from a disc, as well as information to identify a server for metadata)

"a network control module configured to connect with the provider of service information based on the locator information" (column 5 line 62 – column 6 line 2, column 19 lines 50-62)

"a database control module configured to store content identification information relating to audiovisual information" (Figure 1 reference 128, column 5 lines 13-18, column 9 lines 12-30, wherein metadata is stored in a local metadata store relating to the media)

"a display device to display information" (Figure 8 reference 442, column 19 lines 27-33)

"a playback control module configured to output information to the display device" (column 4 line 64 – column 5 line 4, column 18 lines 36-58)

"wherein the network control module is configured to send to the provider associated with the locator information the content identification information, and to receive from the provider service information containing at least one of text information and audiovisual information corresponding to the content identification information" (column 5 line 62 – column 6 line 28, column 16 lines 13-22, wherein a meta data manager in a client sends disc identifier to a server, then the server returns relevant metadata)

"wherein the database control module is configured to compare the content identification information from the provider and the content identification in a management database, and to register the content identification information and the locator information in the management database if the content identification and the locator information have not been registered in the management database;" (column 15 lines 59-65, column 16 lines 2-22, wherein if the disc identifier is not in the database, the remote server is queried for metadata)

"wherein the network control module is configured to not download a content corresponding to the content identification information from the provider if the content identification information is already registered in the management database" (column 15 line 58 – column 16 line 2, wherein if the disc identifier is already in the database then metadata is not queried from the server)

Chung does not teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content".

However, Bezos teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content" (Figure 5 reference 82, Column 4 lines 57- 67, Column 9 lines 16-27, column 11 lines 12-28). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's method of storing and receiving additional information about a piece of media with Bezos's teachings of searching and displaying a list of similar titles, and also display the previous purchases of a user and contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Column 9 lines 16-27). The motivation for doing so would be to provide related items to recommend to a user (column 1 lines 26-33).

As per claim 7, Debique teaches "further comprising a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction ' information to the display device" (column 7 lines 26-47, column 8 lines 38-49, column 16 lines 23-41)

As per claim 11, Debique teaches "a network control module configured to send content identification information identifying content of audiovisual information of a

recording medium to a provider of service information which is associated with locator information in the recording medium relating to the audiovisual information of the recording medium," (column 4 lines 53-63, column 5 lines 4-10, column 15 lines 52-55, and Object Types starting on column 10, wherein table of contents information and a disc identifier is read from a disc, as well as information to identify a server for metadata)

"and to receive from the provider service information containing audiovisual information corresponding to the content identification information" (column 5 line 62 – column 6 line 2, column 19 lines 50-62)

"a database control module configured to store content identification information relating to audiovisual information" (Figure 1 reference 128, column 5 lines 13-18, column 9 lines 12-30, wherein metadata is stored in a local metadata store relating to the media)

"a display device to display information" (Figure 8 reference 442, column 19 lines 27-33)

"a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device" (column 4 line 64 – column 5 line 4, column 5 line 62 – column 6 line 28, column 16 lines 13-22,

column 18 lines 36-58, wherein a meta data manager in a client sends disc identifier to a server, then the server returns relevant metadata)

"wherein the database control module is configured to compare the content identification information from the provider and the content identification in a management database, and to register the content identification information and the locator information in the management database if the content identification and the locator information have not been registered in the database control module" (column 15 lines 59-65, column 16 lines 2-22, wherein if the disc identifier is not in the database, the remote server is queried for metadata)

"wherein the network control module is configured to not download a content corresponding to the content identification information from the provider if the content identification information is already registered in the management database;" (column 15 line 58 – column 16 line 2, wherein if the disc identifier is already in the database then metadata is not queried from the server)

Chung does not teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content".

However, Bezos teach "wherein the playback control module controls the display device to. output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content" (Figure 5 reference 82, Column 4 lines 57- 67, Column 9 lines 16-27, column 11 lines 12-28). Therefore it would have been obvious to one of ordinary skill in the art at the

Art Unit: 2168

time of the invention to combine Chung's method of storing and receiving additional information about a piece of media with Bezos's teachings of searching and displaying a list of similar titles, and also display the previous purchases of a user and contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Column 9 lines 16-27). The motivation for doing so would be to provide related items to recommend to a user (column 1 lines 26-33).

As per claim 12, Debique teaches ""a network control module configured to send content identification information identifying content of audiovisual information of a recording medium to a provider of service information which is associated with locator information in the recording medium relating to the audiovisual information of the recording medium, and to receive from the provider service information containing audiovisual information corresponding to the content identification information" (column 4 lines 53-63, column 5 lines 4-10, column 15 lines 52-55, and Object Types starting on column 10, wherein table of contents information and a disc identifier is read from a disc, as well as information to identify a server for metadata)

"a database control module configured to store content identification information relating to audiovisual information" (Figure 1 reference 128, column 5 lines 13-18, column 9 lines 12-30, wherein metadata is stored in a local metadata store relating to the media)

"a display device to display information" (Figure 8 reference 442, column 19 lines 27-33)

"a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device" (column 4 line 64 – column 5 line 4, column 5 line 62 – column 6 line 28, column 16 lines 13-22, column 18 lines 36-58, wherein a meta data manager in a client sends disc identifier to a server, then the server returns relevant metadata)

"a system control module is configured to determine whether the service information to be acquired has already been received previously, and to not acquire the service information if the service information has previously been received" (column 15 lines 59-65, column 16 lines 2-22, wherein if the disc identifier is not in the database, the remote server is queried for metadata)

"wherein the network control module is configured to not download a content corresponding to the content identification information from the provider if the content identification information is already registered in the management database;" (column 15 line 58 – column 16 line 2, wherein if the disc identifier is already in the database then metadata is not queried from the server)

Chung does not teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content".

However, Bezos teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content" (Figure 5 reference 82, Column 4 lines 57- 67, Column 9 lines 16-27, column 11 lines 12-28). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's method of storing and receiving additional information about a piece of media with Bezos's teachings of searching and displaying a list of similar titles, and also display the previous purchases of a user and contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Column 9 lines 16-27). The motivation for doing so would be to provide related items to recommend to a user (column 1 lines 26-33).

As per claim 14, Debique teaches "sending to the provider associated with the locator information the content identification information." (column 5 line 62 – column 6 line 28, column 16 lines 13-22)

As per claim 15, Debique teaches "storing content identification information relating to audiovisual information in a playback device." (Figure 1 reference 128, column 5 lines 13-18, column 9 lines 12-30)

As per claim 16, Debique teaches ""reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information" (column 4 lines 53-63, column 5 lines 4-10, column 15 lines 52-55, and Object Types starting on column 10, wherein table of contents information and a disc identifier is read from a disc, as well as information to identify a server for metadata)

"connecting with the provider of service information based on the locator information" (column 5 line 62 – column 6 line 2, column 19 lines 50-62)

"comparing the content identification information from the provider and the content identification in a management database," (column 5 line 62 – column 6 line 28, column 15 lines 58-65, wherein a meta data manager searches for the disc identifier in the database)

"registering the content identification information and the locator information in the management database if the content identification and the locator information have not been registered in the management database" (column 15 lines 59-65, column 16 lines 2-22, wherein if the disc identifier is not in the database, the remote server is queried for metadata)

"and not registering the content identification information from the provider if the content identification information is already registered in the management database;" (column 15 line 58 – column 16 line 2, wherein if the disc identifier is already in the database then metadata is not queried from the server)

Chung does not teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content"

However, Bezos teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content" (Figure 5 reference 82, Column 4 lines 57- 67, Column 9 lines 16-27, column 11 lines 12-28). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's method of storing and receiving additional information about a piece of media with Bezos's teachings of searching and displaying a list of similar titles, and also display the previous purchases of a user and contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Column 9 lines 16-27). The motivation for doing so would be to provide related items to recommend to a user (column 1 lines 26-33).

As per claim 17, Debique teaches "receiving from the provider service information containing at least one of text information and audiovisual information corresponding to the content identification information." (column 16 lines 13-22)

As per claim 18, Debique teaches "displaying distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database." (column 7 lines 26-47, column 8 lines 38-49, column 16 lines 23-41)

As per claim 19, Debique teaches ""reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information" (column 4 lines 53-63, column 5 lines 4-10, column 15 lines 52-55, and Object Types starting on column 10, wherein table of contents information and a disc identifier is read from a disc, as well as information to identify a server for metadata)

"connecting with the provider of service information based on the locator information" (column 5 line 62 – column 6 line 2, column 19 lines 50-62)

"comparing the content identification information from the provider and the content identification in a management database" (column 5 line 62 – column 6 line 28, column 15 lines 58-65, wherein a meta data manager searches for the disc identifier in the database)

"determining whether there is a request to acquire service information based on the locator information" (column 5 line 62 – column 6 line 28)

"registering the content identification information and the locator information in the management database if the content identification information and the locator information have not been registered previously," (column 15 lines 59-65, column 16 lines 2-22, wherein if the disc identifier is not in the database, the remote server is queried for metadata)

"and not registering the content identification information from the provider if the content identification information is already registered in the management database;"

(column 15 line 58 – column 16 line 2, wherein if the disc identifier is already in the database then metadata is not queried from the server)

Chung does not teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content" However, Bezos teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content" (Figure 5 reference 82, Column 4 lines 57- 67, Column 9 lines 16-27, column 11 lines 12-28). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's method of storing and receiving additional information about a piece of media with Bezos's teachings of searching and displaying a list of similar titles, and also display the previous purchases of a user and contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Column 9 lines 16-27). The motivation for doing so would be to provide related items to recommend to a user (column 1 lines 26-33).

As per claim 20, Debique teaches "determining whether the service information to be acquired has already been received previously, and to not acquire the service information if the service information has previously been received." (column 15 line 58 – column 16 line 22)

As per claim 23, Debique teaches "means for reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium,

the locator information relating to the audiovisual information for locating a provider of service information" (column 4 lines 53-63, column 5 lines 4-10, column 15 lines 52-55, and Object Types starting on column 10, wherein table of contents information and a disc identifier is read from a disc, as well as information to identify a server for metadata)

"means for connecting with the provider of service information based on the locator information" (column 5 line 62 – column 6 line 2, column 19 lines 50-62)

"means for storing content identification information relating to audiovisual information" (Figure 1 reference 128, column 5 lines 13-18, column 9 lines 12-30, wherein metadata is stored in a local metadata store relating to the media)

"means for determining whether there is a request to acquire service information from the provider based on the locator information" (column 5 line 62 – column 6 line 28, column 16 lines 13-22, wherein a meta data manager in a client sends disc identifier to a server, then the server returns relevant metadata)

"means for displaying information" (Figure 8 reference 442, column 19 lines 27-33)

"means for controlling playback configured to output information to means for displaying information" (column 4 line 64 – column 5 line 4, column 18 lines 36-58)

"means for registering the content identification information and the locator information in the management database if the content identification information and the locator information have not been registered previously," (column 15 lines 59-65,

column 16 lines 2-22, wherein if the disc identifier is not in the database, the remote server is queried for metadata)

"and not registering the content identification information from the provider if the content identification information is already registered in the management database;" (column 15 line 58 – column 16 line 2, wherein if the disc identifier is already in the database then metadata is not queried from the server)

Chung does not teach "means for controlling playback configured to control the means for displaying so as to output a list of titles relating to contents that the provider provides and configured to control the means displaying to output an icon when a user already owns the content"

However, Bezos teaches "means for controlling playback configured to control the means for displaying so as to output a list of titles relating to contents that the provider provides and configured to control the means displaying to output an icon when a user already owns the content" (Figure 5 reference 82, Column 4 lines 57- 67, Column 9 lines 16-27, column 11 lines 12-28). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's method of storing and receiving additional information about a piece of media with Bezos's teachings of searching and displaying a list of similar titles, and also display the previous purchases of a user and contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Column 9 lines 16-27). The motivation for doing so would be to provide related items to recommend to a user (column 1 lines 26-33).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yankowski (US Patent 6,247,022 B1)

Laronne et al (US Patent 6,973,451 B2)

Roberts (US Patent 7,167,857 B2)

Nagao (US Patent 7,227,971 B2)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo
Examiner



Tim T. Vo
SPE



TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100